

EXHIBIT A

This case has been designated as an eFiling case, for more information please visit

www.courts.michigan.gov/eFiling.

Original - Court
1st copy - Defendant2nd copy - Plaintiff
3rd copy - Return

STATE OF MICHIGAN JUDICIAL DISTRICT 6th JUDICIAL CIRCUIT COUNTY	SUMMONS	CASE NO. 2024-209534- NO JUDGE DANIEL P. O'BRIEN
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Court address

1200 N. Telegraph Road, Pontiac, MI 48341

Court telephone no.

248-8580344

Plaintiff's name, address, and telephone no.

MADELYN ASISI-NAMINI and
BORSU ASISI-NAMINI

Defendant's name, address, and telephone no.

WAYMO LLC
c/o Resident Agent
CSC - LAWYERS INCORPORATING SERVICE
3410 Belle Chase Way, Ste. 600
Lansing, MI 48911

v

Plaintiff's attorney, bar no., address, and telephone no.

BRIAN A. KUTINSKY (P39107)
MALIN & KUTINSKY PC
30777 Northwestern Hwy., Suite 300
Farmington Hills, MI 48334
(248) 973-1000

Instructions: Check the items below that apply to you and provide any required information. Submit this form to the court clerk along with your complaint and, if necessary, a case inventory addendum (MC 21). The summons section will be completed by the court clerk.

Domestic Relations Case

- ☐ There are no pending or resolved cases within the jurisdiction of the family division of the circuit court involving the family or family members of the person(s) who are the subject of the complaint.
- ☐ There is one or more pending or resolved cases within the jurisdiction of the family division of the circuit court involving the family or family members of the person(s) who are the subject of the complaint. I have separately filed a completed confidential case inventory (MC 21) listing those cases.
- ☐ It is unknown if there are pending or resolved cases within the jurisdiction of the family division of the circuit court involving the family or family members of the person(s) who are the subject of the complaint.

Civil Case

- ☐ This is a business case in which all or part of the action includes a business or commercial dispute under MCL 600.8035.
- ☐ MDHHS and a contracted health plan may have a right to recover expenses in this case. I certify that notice and a copy of the complaint will be provided to MDHHS and (if applicable) the contracted health plan in accordance with MCL 400.106(4).
- ☒ There is no other pending or resolved civil action arising out of the same transaction or occurrence as alleged in the complaint.
- ☐ A civil action between these parties or other parties arising out of the transaction or occurrence alleged in the complaint has

been previously filed in ☐ this court, ☐ _____ Court, where

it was given case number _____ and assigned to Judge _____

The action ☐ remains ☐ is no longer pending.

Summons section completed by court clerk.

SUMMONS**NOTICE TO THE DEFENDANT:** In the name of the people of the State of Michigan you are notified:

1. You are being sued.
2. **YOU HAVE 21 DAYS** after receiving this summons and a copy of the complaint to **file a written answer with the court** and serve a copy on the other party **or take other lawful action with the court** (28 days if you were served by mail or you were served outside of Michigan).
3. If you do not answer or take other action within the time allowed, judgment may be entered against you for the relief demanded in the complaint.
4. If you require accommodations to use the court because of a disability or if you require a foreign language interpreter to help you fully participate in court proceedings, please contact the court immediately to make arrangements.

Issue date 9/12/2024	Expiration date* 12/12/2024	Court clerk Lisa Brown
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*This summons is invalid unless served on or before its expiration date. This document must be sealed by the seal of the court.

Summons (3/23)

Case No. 2024-209534- NO

PROOF OF SERVICE

TO PROCESS SERVER: You must serve the summons and complaint and file proof of service with the court clerk before the expiration date on the summons. If you are unable to complete service, you must return this original and all copies to the court clerk.

CERTIFICATE OF SERVICE / NONSERVICE

☐ I served ☐ personally ☐ by registered or certified mail, return receipt requested, and delivery restricted to the addressee (copy of return receipt attached) a copy of the summons and the complaint, together with the attachments listed below, on:

☐ I have attempted to serve a copy of the summons and complaint, together with the attachments listed below, and have been unable to complete service on:

Name	Date and time of service
Place or address of service	
Attachments (if any)	

☐ I am a sheriff, deputy sheriff, bailiff, appointed court officer or attorney for a party.

☐ I am a legally competent adult who is not a party or an officer of a corporate party. I declare under the penalties of perjury that this certificate of service has been examined by me and that its contents are true to the best of my information, knowledge, and belief.

Service fee	Miles traveled	Fee	
\$		\$	
Incorrect address fee	Miles traveled	Fee	TOTAL FEE
\$		\$	\$

Signature

Name (type or print)

ACKNOWLEDGMENT OF SERVICE

I acknowledge that I have received service of a copy of the summons and complaint, together with

Attachments (if any) _____ on _____
Date and time

Signature _____ on behalf of _____

Name (type or print) _____

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www.oakgov.com/efiling.

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF OAKLAND

MADELYN ASISI-NAMINI
and BORSU ASISI-NAMINI,

Plaintiffs,

-vs-

Case No.: 2024-209534-NO
Hon. Daniel P. O'Brien

HANSEN PROPERTIES,
a foreign corporation, and
WAYMO LLC,
a foreign limited liability company,

Defendants.

MALIN & KUTINSKY PC
BRIAN A. KUTINSKY (P39107)
Attorney for Plaintiffs
30777 Northwestern Hwy., Suite 300
Farmington Hills, MI 48334
(248) 973-1000; FAX: (248) 254-3210
Bkutinsky@themklawfirm.com

FIRST AMENDED COMPLAINT

pd/ct

NOW COME the Plaintiffs, MADELYN ASISI-NAMINI and BORSU ASISI-NAMINI, by and through their attorneys, MALIN & KUTINSKY PC, and pursuant to MCR 2.118 hereby files their First Amended Complaint against the Defendants, to reflect the correct name of Defendant, Hansen Properties and to add Defendant, WAYMO LLC, and further states as follows:

1. That the Plaintiffs, MADELYN ASISI-NAMINI and BORSU ASISI-NAMINI, are residents of the City of Novi, County of Oakland, State of Michigan.

2. That the Defendant, HANSEN PROPERTIES, is a foreign corporation, doing business in the City of Novi, County of Oakland, State of Michigan.

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3. That the Defendant, WAYMO LLC, is a foreign limited liability company, doing business in the City of Novi, County of Oakland, State of Michigan.

4. That on or about December 28, 2021, Plaintiff, MADELYN ASISI-NAMINI, was lawfully on the premises owned by Defendant, HANSEN PROPERTIES, located at 46555 Magellan Drive, in the City of Novi, County of Oakland, State of Michigan, who leased the property to Defendant, WAYMO LLC.

5. That the amount in controversy exceeds the sum of Twenty-Five Thousand (\$25,000.00) Dollars and is, therefore, within the jurisdiction of this Court.

COUNT I

PREMISES LIABILITY

6. That on the above date, Plaintiff, MADELYN ASISI-NAMINI, was lawfully upon the premises of the Defendants, HANSEN PROPERTIES and WAYMO LLC, located at 46555 Magellan Drive, when she was caused to slip and fall as the result of an accumulation of ice on the parking lot surface.

7. That the Defendants owed to the Plaintiff certain duties and obligations of care which Defendants violated and that violation of these duties and obligations consisted of, but were not limited to, the following:

- a. Failing to inspect the premises and thereupon remove the dangerous conditions;
- b. Failing to warn members of the public including the Plaintiff with signs or other effective means of such dangerous conditions;
- c. Failing to adequately supervise employees delegating responsibility of keeping the premises reasonable safe and fit;
- d. Failing to exercise reasonable care in hiring personnel whose duties include maintaining the premises in a reasonably safe condition;
- e. Failing to properly illuminate the premises;
- f. Failing to exercise reasonable care for Plaintiff's safety in the circumstances.

- g. Negligently, carelessly and recklessly failing to keep said premises and all common areas therein fit for the foreseeable uses;
- h. Negligently, carelessly and recklessly failing to use reasonable care to protect the Plaintiff from and against the hazards arising from the defective and/or structurally unsound floor; and
- i. Negligently, carelessly and recklessly being guilty of other acts of negligence, not yet known, which will be ascertained during discovery.

8. That as a direct and proximate result of the Defendants' negligence, Plaintiff, MADELYN ASISI-NAMINI, sustained injuries including, but not limited to, her neck, back, head and arm, as well as aggravation of preexisting conditions, whether known or unknown at this time.

9. That as a further direct and proximate result of the negligence of the Defendants, the Plaintiff will suffer present and future pain and suffering, mental anguish, loss of enjoyment of life, loss of function, all of which are permanent in nature.

10. That as a further direct and proximate result of the negligence of the Defendants, the Plaintiff has incurred and will incur in the future extensive medical, surgery, hospital and doctor bills.

WHEREFORE, your Plaintiff, MADELYN ASISI-NAMINI, prays that this Honorable Court enter a judgment in her favor and against the Defendants in whatever amount to which she is found to be entitled, together with costs, interest and attorney fees.

COUNT II

CONSORTIUM CLAIM

11. That Plaintiffs hereby incorporate by reference, paragraphs 1 through 10 of Count I as if set forth fully herein.

12. That as a result of the injuries suffered to the Plaintiff, MADELYN ASISI-NAMINI, the Plaintiff, BORSU ASISI-NAMINI, suffered a loss of companionship, services and conjugal relationships formerly enjoyed with his wife and that these relationships have been permanently affected and that the Plaintiff, BORSU ASISI-NAMINI, has suffered a loss of consortium.

WHEREFORE, your Plaintiffs, MADELYN ASISI-NAMINI and BORSU ASISI-NAMINI, pray that this Honorable Court enter a judgment in their favor and against the Defendants, HANSEN PROPERTIES and WAYMO LLC, in whatever amount to which they are found to be entitled, together with costs, interest and attorney fees.

MALIN & KUTINSKY PC

/s/ Brian A. Kutinsky

By: _____
BRIAN A. KUTINSKY (P39107)
Attorney for Plaintiffs
30777 Northwestern Hwy., Suite 300
Farmington Hills, MI 48334
(248) 973-1000; FAX: (248) 254-3210
Bkutinsky@themklawfirm.com

DATE: 09/11/2024

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF OAKLAND

MADELYN ASISI-NAMINI
and BORSU ASISI-NAMINI,

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-vs-

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Hon. Daniel P. O'Brien

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DEMAND FOR JURY TRIAL

NOW COME the Plaintiffs, MADELYN ASISI-NAMINI and BORSU ASISI-NAMINI, by and through their attorneys, MALIN & KUTINSKY PC, and hereby demands a trial by jury of the within matters.

MALIN & KUTINSKY PC

/s/ Brian A. Kutinsky

By: _____
BRIAN A. KUTINSKY (P39107)
Attorney for Plaintiffs
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DATE: 09/11/2024